

REMARKS

In response to the Official Action dated September 24, 2001, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections for the reasons that follow.

Claims 1-3, 5-11, 13-18, and 20-30, have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,980,015, hereinafter *Saruta*, in view of U.S. Patent No. 5,745,131, hereinafter *Kneezel et al.*

The Examiner alleges that *Saruta* discloses all of the elements of the claims except that the Examiner concedes that *Saruta* does not disclose that the distance between a center of at least one of the smoothing dots is smaller than the distance between the center of one of the imaging dots. With regard to the Examiner's allegations of what *Saruta* does teach, Applicants reserve the right to contest such findings by the Examiner, at a later time, if necessary.

In order to overcome the deficiency of the teachings of *Saruta*, the Examiner relies upon *Kneezel*. Specifically, the Examiner alleges that *Kneezel* discloses in Figures 8, 10A-10AA, and 11, an ink jet printer which prints image forming dots and smoother dots, wherein a center of at least one of the smoothing dots is smaller than the distance between the center of one of the image forming dots. The Examiner then concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to provide smoother dots closer together than image forming dots, as taught by *Kneezel*, in the ink jet printer of *Saruta*, in order to provide a better fill or smoother fitting.

However, the combination proposed by the Examiner is not proper. Specifically, the Examiner is relying upon *Saruta* for its teaching of the use of ejecting a plurality of kinds of ink droplets of different sizes from a *single* nozzle. The Examiner then alleges that the spacing of the centers should be varied according to the teachings of *Kneezel*.

However, *Kneezel* is able to vary the spacings relied upon by the Examiner solely because *Kneezel* discloses the use of a plurality of nozzles with specific spacings therebetween in order to achieve the varied spacing relied upon by the Examiner. Specifically, the Examiner's attention is directed to column 7, line 42 through column 8, line 26 of *Kneezel*. As can be seen in Figure 8, the second plurality of nozzles 88 is aligned with the background grid, represented by plus signs. However, the first and third pluralities of nozzles 86, 90 are offset from the grid due to a spacing of $1.2d$ and $0.3s$. See column 7, lines 60-65. It is the unique spacing of the *groups* of nozzles, that enables the change in centers of the dots relied upon by the Examiner. Accordingly, it would not be possible to provide such spacing using the *single* nozzle of *Saruta*.

Accordingly, the present invention would not be obvious to one of ordinary skill in the art based on the teachings of *Saruta* and *Kneezel*. Furthermore, there is no enabling disclosure in either of the references, either singly, or in combination, as to how the claimed spacing could be achieved with the single nozzle of *Saruta*. As set forth above, the spacing relied upon by the Examiner is only achieved by the use of a plurality of nozzles, as taught by *Kneezel*.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections.

Furthermore, it will be appreciated to those of skill in the art that the term "image", as used in the application, refers to either an entire image or a portion of a larger image.

To further define the protection to which applicants are entitled, new claims 31 - 33 are added with this response. New independent claim 31 is patentable at least for the reasons set forth above with regard to claim 24. Claims 32 - 33 depend from claim 31, and are thus also patentable at least for those reasons.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: William C Rowland
William C. Rowland
Registration No. 30,888

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

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